

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case	21-CB-321086
Date Filed	6/30/23

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name UNITE HERE, Local 11		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code)  464 Lucas Ave., Suite 201 Los Angeles, CA 90017		d. Tel. No. (213) 481-8530	e. Cell No.
		f. Fax No. (213) 481-0352	
		g. e-mail (b) (6), (b) (7)(C) @unithere11.org	
h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) section 8(b)(3) and section 8(d) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about June 26, 2023, the Union has failed to bargain collectively and in good faith with the Employers in the Coordinated Bargaining Group by failing and refusing to timely provide and/or unreasonably delaying providing relevant and necessary information related to, among other things, the Santa Monica UNITE HERE Health Benefit Fund and Union Pension Fund, as well as information related to waivers provided by the Union to local hotel worker-related ordinances or California Recall Law; documents or studies and similar support related to Union proposals for daily housekeeping limits, minimum staffing, room limits waivers and other mandatory subjects of bargaining; non-privileged communication between the Union and various governmental entities/representatives related to hotels in the Coordinated Bargaining group or hotel-related legislation.			
3. Name of Employer Coordinated Bargaining Group members (see attached list)		4a. Tel. No. (310) 255-1821	b. Cell No. (781) 267-6512
		c. Fax No.	
		d. e-mail kgrossman@hkemploymentlaw.com	
5. Location of plant involved (street, city, state and ZIP code) See attached list		6. Employer representative to contact Keith Grossman	
7. Type of establishment (factory, mine, wholesaler, etc.) Hotels	8. Identify principal product or service Hospitality	9. Number of workers employed 4000+	
10. Full name of party filing charge Keith Grossman/Reed Schaper, Hirschfeld Kraemer LLP; Ken Ballard, Ballard Rosenberg Golper & Savitt, LLP on behalf of Group			
11. Address of party filing charge (street, city, state and ZIP code)  see attached list		11a. Tel. No. (310) 255-1821	b. Cell No. (781) 267-6512
		c. Fax No.	
		d. e-mail kgrossman@hkemploymentlaw.com	
12. DECLARATION   (signature of representative or person making charge)		Tel. No. (310) 255-1801	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  Reed Schaper (Print/type name and title or office, if any)		Cell No. (310) 403-7309	
233 Wilshire Blvd., Ste. 600, Santa Monica, CA Address		Fax No.	
Date June 30, 2023		e-mail rschaper@hkemploymentlaw.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

LOS ANGELES  
NLRB REGION 21  
JUN 30 2023

Coordinated Bargaining Group

JW Marriott/Ritz-Carlton LA Live  
900 W. Olympic Blvd.  
Los Angeles, CA 90015

Courtyard/Residence Inn LA Live  
901 W. Olympic Blvd.  
Los Angeles, CA 90018

Sheraton Grand Los Angeles  
711 S. Hope St.  
Los Angeles, CA 90017

Conrad LA  
100 South Grand Avenue,  
Los Angeles, CA 90012

Hilton Anaheim  
777 W Convention Way  
Anaheim, CA 92802

Hilton Irvine  
18800 MacArthur Blvd  
Irvine, CA 92612

Irvine Marriott  
18000 Von Karman Ave  
Irvine, CA 92612

Millennium Biltmore  
506 S Grand Ave  
Los Angeles, CA 90071

Hotel Figueroa  
939 S Figueroa St  
Los Angeles, CA 90015

InterContinental Downtown LA  
900 Wilshire Blvd  
Los Angeles, CA 90017

Indigo Downtown LA  
899 Francisco St  
Los Angeles, CA 90017

Hyatt Regency Long Beach  
200 S. Pine Ave  
Long Beach, CA 90802

Hyatt Centric, The Pike Long Beach  
285 Bay St.  
Long Beach, CA 90802

InterContinental Downtown LA  
900 Wilshire Blvd  
Los Angeles, CA 90017

Indigo Downtown LA  
899 Francisco St  
Los Angeles, CA 90017

Westin Bonaventure  
404 S Figueroa St  
Los Angeles, CA 90071

DoubleTree LA Downtown  
120 S Los Angeles St  
Los Angeles, CA 90012

DoubleTree San Pedro  
2800 Via Cabrillo-Marina  
San Pedro, CA 90731

Hilton Pasadena  
168 S Los Robles Ave  
Pasadena, CA 91101

Marriott Laguna Cliffs Resort  
25135 Park Lantern  
Dana Point, CA 92629

Sheraton Park Hotel at the Anaheim Resort  
1855 S Harbor Blvd  
Anaheim, CA 92802

LA Grand Hotel Downtown  
333 S Figueroa St  
Los Angeles, CA 90071

Alsace Hotel  
5170 W Adams Blvd  
Los Angeles, CA 90016

E-Central Downtown LA  
1020 S Figueroa St  
Los Angeles, CA 90015

W Hollywood  
6250 Hollywood Blvd.  
Los Angeles, CA 90028

SLS Hotel at Beverley Hills  
465 La Cienega Blvd  
Los Angeles, CA 90048

Westin LAX  
5400 W Century Blvd  
Los Angeles, CA 90045

W Westwood  
930 Hilgard Ave  
Los Angeles, CA 90024

Andaz West Hollywood  
8401 Sunset Blvd  
West Hollywood, CA 90069

The Shay – Destination by Hyatt  
8801 Washington Blvd  
Culver City, CA 90232

Beverly Hilton  
9876 Wilshire Blvd  
Beverly Hills, CA 90210

Waldorf Astoria Beverly Hills  
9850 Wilshire Blvd  
Beverly Hills, CA 90210

Viceroy Santa Monica  
1819 Ocean Ave  
Santa Monica, CA 90401

Le Meridian Delfina  
530 Pico Blvd  
Santa Monica, CA 90405

Beverly Wilshire  
9500 Wilshire Blvd  
Beverly Hills, CA 90212

One Hotel West Hollywood  
8490 Sunset Blvd  
West Hollywood, CA 90069

Loews Hollywood  
1755 N Highland Ave  
Los Angeles, CA 90028

Fairmont Miramar Hotel & Bungalows  
101 Wilshire Blvd  
Santa Monica, CA 90401

Fairmont Century Plaza  
2025 Avenue of the Stars  
Los Angeles, CA 90067

Sofitel Hotel Beverly Hills  
8555 Beverly Blvd  
Los Angeles, CA 90048

The Line Hotel  
3515 Wilshire Blvd  
Los Angeles, CA 90005

Hampton Inn & Suites Santa Monica  
501 Colorado Ave  
Santa Monica, CA 90401

Courtyard Santa Monica  
425 Colorado Ave  
Santa Monica, CA 90401

Holiday Inn LAX Airport  
9901 S La Cienega Blvd  
Los Angeles, CA 90045

Hyatt Regency Los Angeles Airport  
6225 W Century Blvd  
Los Angeles, CA 90045

Le Merigot Santa Monica  
1740 Ocean Ave  
Santa Monica, CA 90401

Sheraton Universal  
333 Universal Hollywood Drive  
Universal City, CA 91608



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778



Download  
NLRB  
Mobile App

July 5, 2023

UNITE HERE, Local 11  
464 South Lucas Avenue, Suite 201  
Los Angeles, CA 90017

Re: UNITE HERE, Local 11 (Coordinated  
Bargaining Group Members)  
Case 21-CB-321086

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Elvira Pereda whose telephone number is (213)634-6512. If this Board agent is not available, you may contact Supervisory Attorney Stephanie Cahn whose telephone number is (213)634-6501.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlrb.gov](http://www.nlrb.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster



July 5, 2023

and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

**Controlled Unclassified Information (CUI):** This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. B. Cowen', with a long horizontal flourish extending to the right.

William B. Cowen  
Regional Director

Enclosure: Copy of Charge

WBC/ac

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**UNITE HERE, LOCAL 11**

Charged Party

and

**COORDINATED BARGAINING GROUP  
MEMBERS, JW MARRIOTT/RITZ CARLTON  
L.A. LIVE, ET AL.**

Charging Party

**Case 21-CB-321086**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION**

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 5, 2023, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

UNITE HERE, Local 11  
464 South Lucas Avenue, Suite 201  
Los Angeles, CA 90017

July 5, 2023

Date

Aide Carretero, Designated Agent of NLRB

Name

/s/ Aide Carretero

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
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July 5, 2023

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Los Angeles, CA 90015-1338

Courtyard/Residence Inn LA Live  
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Los Angeles, CA 90018

Sheraton Grand Los Angeles  
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Hilton Irvine  
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Irvine, CA 92612

Irvine Marriott Hotel  
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Irvine, CA 92612-1096

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Los Angeles, CA 90017

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Long Beach, CA 90802

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West Hollywood, CA 90069

Loews Hollywood Hotel  
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Los Angeles, CA 90028-4403

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Los Angeles, CA 90048

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Los Angeles, CA 90010-2301

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Santa Monica, CA 90401

Sheraton Universal  
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Universal City, CA 91608-1095

W. Hollywood  
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Los Angeles, CA 90028

Re: UNITE HERE, Local 11 (Coordinated  
Bargaining Group Members)  
Case 21-CB-321086

Dear Sir or Madam:

The charge that you filed in this case on June 30, 2023 has been docketed as case number 21-CB-321086. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Elvira Pereda whose telephone number is (213)634-6512. If this Board agent is not available, you may contact Supervisory Attorney Stephanie Cahn whose telephone number is (213)634-6501.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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\* \* \*

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure: Commerce Questionnaire

cc: Reed E. Schaper, Attorney at Law  
Hirschfeld Kraemer, LLP  
233 Wilshire Boulevard, Suite 600  
Santa Monica, CA 90401-1218

Kenneth R Ballard, Attorney  
Ballard Rosenberg Golper & Savitt, LLP  
15760 Ventura Boulevard, 18th Floor  
Encino, CA 91436-3029

Keith D. Grossman, Attorney at Law  
Hirschfeld Kraemer, LLP  
233 Wilshire Blvd., Suite 600  
Santa Monica, CA 90401

WBC/ac

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 21-CB-321086
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## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
----------------------------------------	--------------------------------------------------------------------------------------

## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:
-------------------------	-----------------------

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:
-----------	--------------------------------------------

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.